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SEP 21 2006

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FACSIMILE COVER SHEET

Deliver to: Dupuis, Derek L., USPTOArt Group: 2883Facsimile No.: (571) 273-8300Date: September 21, 2006From: Brent E. Vecchia, Reg. No. 48,011Our Docket No.: 42P18458Number of pages 14 including this sheet.Application No.: 10/749,986Filing Date: 12/31/2003Docket Due Date(s): 9/21/2006

Enclosed are the following documents:

Amendment: Non-Compliant (10 pgs)

Appeal Brief (pgs)

Application: (pgs) w/cover & abstract

Assignment & Cover Sheet (pgs)

Certificate of Facsimile

Continued Prosecution Application (CPA)

Declaration & POA (pgs)

Drawings: sheets, figures

Extension of Time:

Fee Transmittal (in duplicate)

IDS & PTO/SB/08 (pgs)

Other

Issue Fee Transmittal

Notice of Appeal

Petition for:

Request for Continued Examination (RCE)

Reply Brief (pgs)

Request & Certification Under 35 USC 122(b)(2)(B)(i)

Request to Rescind Previous Nonpublication Request

Response to Notice of Missing Parts & Formalities Letter

Response to Written Opinion (pgs)

Terminal Disclaimer

Transmittal of Publication Fee Due

Transmittal Letter

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.84)

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Pat Sullivan 9/21/2006
Pat Sullivan Date

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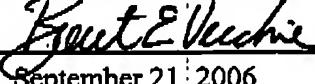
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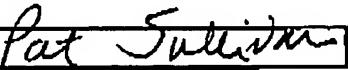
SEP 21 2006

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	10/749,986
		Filing Date	December 31, 2003
		First Named Inventor	Donald S. Gardner
		Art Unit	2883
		Examiner Name	Dupuis, Derek L.
Total Number of Pages in This Submission	14	Attorney Docket Number	42P18458

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

Facsimile Transmittal Sheet

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Brent E. Vecchia, Reg. No. 48,011 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	September 21, 2006

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Typed or printed name	Pat Sullivan		
Signature			
	Date	September 21, 2006	

Based on PTO/SB/21 (09-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 11/30/2005.
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FEE TRANSMITTAL
for FY 2005

Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	10/749,986
Filing Date	December 31, 2005
First Named Inventor	Donald S. Gardner
Examiner Name	Dupuis, Derek L.
Art Unit	2883
Attorney Docket No.	42P18458

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order None Other (please identify): Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayment of fee(s) Credit any overpayments
 under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

FEE CALCULATION

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) Terminal Disclaimer

SUBTOTAL (2) (\$)

Complete (if applicable)

Name (Print/Type)	Brent E. Vecchia	Registration No. (Attorney/Agent)	48,011	Telephone	(303) 740-1980
Signature				Date	09/21/06

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 12/15/2004.
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Application Number	10/749,986
Filing Date	December 31, 2003
First Named Inventor	Donald S. Gardner
Examiner Name	Dupuis, Derek L.
Art Unit	2883
Attorney Docket No.	42PI8458

METHOD OF PAYMENT (check all that apply)

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under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

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1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) Terminal Disclaimer

SUBTOTAL (2) (\$)

Complete (if applicable)

SUBMITTED BY	Name (Print/Type)	Brent E. Vecchia	Registration No. (Attorney/Agent)	48,011	Telephone	(303) 740-1980
Signature				Date	09/21/06	

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SEP 21 2006

Our Docket No: 42P18458

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gardner et al.

Examiner: Dupuis, Derek L.

Application No: 10/749,986

Art Unit: 2883

Filed: December 31, 2003

For: Microring and Microdisk Resonators
For Lasers Fabricated on Silicon
WafersRESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENTCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment mailed 08/21/2006, the Applicants respectfully request that the Examiner enter the following amendments and consider the following remarks.

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that I am causing the above-referenced correspondence to be transmitted via facsimile to the United States Patent and Trademark Office at (571) 273-8300 on the date indicated below:

September 21, 2006Date of TransmissionPat SullivanName of Person Transmitting CorrespondencePat Sullivan
Signature09/21/2006

Date

Atty Docket No. 42P18458
Application No. 10/749,986

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